

AMENDMENT TO THE CLAIMS

1. (Currently Amended) A composition for livestock feed, comprising
a feed for livestock and
0.05 to 5% by weight per feed weight of an additive mixture, wherein said additive mixture comprises at least two additives selected from the group consisting of (a), (b), and (c):

(a) at least one of a nucleic acid, a nucleotide, a nucleoside; ~~nucleoside, glutamine~~
(b) glutamine; and
(c) glutamic acid; and

wherein in said additive mixture, when present, the nucleic acid, nucleotide, or nucleoside is added in an amount of 0.01 to 2.5% by weight per feed weight, when present, the glutamine is added in an amount of 0.05 to 2.5% by weight per feed weight, and, when present, the glutamic acid is added in an amount of 0.05 to 2.5% by weight per feed weight.
2. (Original) The composition according to claim 1, wherein the feed for livestock is selected from the group consisting of a milk replacer, a pre-starter feed and a starter feed.
3. (Canceled)
4. (Original) A method for increasing body weight gain efficiency and feed efficiency in livestock, comprising administering the composition for livestock feed of claim 1 to livestock.
5. (Original) The method according to claim 4, wherein the composition is administered in the weaning period.
6. (Previously Presented) The composition according to claim 1, wherein said livestock is selected from the group consisting of a cattle, a swine, a chicken, a horse, a turkey, a sheep, and a goat.

7. (Previously Presented) The composition according to claim 1, wherein said nucleic acid is a deoxyribonucleic acid or a ribonucleic acid.

8. (Previously Presented) The composition according to claim 1, wherein said nucleic acid, nucleotide, or nucleoside is selected from the group consisting of a polynucleotide, a nucleoside, a purine base, and a pyrimidine base.

9. (Previously Presented) The composition according to claim 1, wherein said nucleic acid, nucleotide, or nucleoside is selected from the group consisting of an adenosine monophosphate, a guanosine monophosphate, cytidine monophosphate, a uridine monophosphate, a thymidine monophosphate, an inosine monophosphate, adenine, guanine, cytosine, uracil and thymine.

10. (Previously Presented) The composition according to claim 1, wherein said feed is selected from the group consisting of a cereal, soybean meal, isolated soybean protein, isolated soybean oil, isolated soybean fat, skimmed milk, fish meal, meat meal, bone meal, blood meal, blood plasma protein, whey, rice bran, wheat bran, a sweetener, a mineral, a vitamin, salt, and grass.

11. (Previously Presented) The composition according to claim 1, wherein said feed is a cereal.

12. (Previously Presented) The composition according to claim 11, wherein said cereal is selected from the group consisting of corn, barley, wheat, rye, sorghum, soybean, yellow powdered soybean.

13. (Previously Presented) The method according to claim 4, wherein the daily dose of the nucleic acid, nucleotide, or nucleoside ranges from 0.01 to 2.5 g/day per kg body weight of the animal.

14. (Previously Presented) The method according to claim 4, wherein the daily dose of the nucleic acid, nucleotide, or nucleoside ranges from 0.05 to 1.0 g/day per kg body weight of the animal.

15. (Previously Presented) The method according to claim 4, wherein the daily dose of the glutamine or glutamic acid ranges from 0.05 to 2.5 g/day per kg body weight of the animal.

16. (Previously Presented) The method according to claim 4, wherein the daily dose of the glutamine or glutamic acid ranges from 0.5 to 2.0 g/day per kg body weight of the animal.

17. (Previously Presented) The method according to claim 5, wherein the daily dose of the nucleic acid, nucleotide, or nucleoside ranges from 0.01 to 2.5 g/day per kg body weight of the animal.

18. (Previously Presented) The method according to claim 5, wherein the daily dose of the nucleic acid, nucleotide, or nucleoside ranges from 0.05 to 1.0 g/day per kg body weight of the animal.

19. (Previously Presented) The method according to claim 5, wherein the daily dose of the glutamine or glutamic acid ranges from 0.05 to 2.5 g/day per kg body weight of the animal.

20. (Previously Presented) The method according to claim 5, wherein the daily dose of the glutamine or glutamic acid ranges from 0.5 to 2.0 g/day per kg body weight of the animal.

SUPPORT FOR THE AMENDMENT

Claim 1 has been amended.

The amendment of Claim 1 is supported by the original claims and specification as filed.

No new matter is believed to have been added by these amendments.

REMARKS

Claims 1-2 and 4-20 are pending in the present application.

As the record clearly bears out, the above claim amendment accurately reflects the scope of the inventive composition. Based on the description on pages 4-12, which are further supported by the Examples on pages 12-23, it is clear that at least one of glutamine and glutamic acid must be present in the composition for livestock feed. The importance of these components was clearly set forth in Applicants' Amendment and Request for Reconsideration filed on December 23, 2002. On this basis, the claims (requiring at least two of a nucleic acid, glutamine and glutamic acid) were found to be free of the art of record.

Therefore, it is clear that the Office found the claimed composition for livestock feed in which at least two of a nucleic acid, glutamine and glutamic acid are present, to be allowable. However, the Office objected to the use of "nucleic acid", which was replaced with "a nucleic acid, a nucleotide, and a nucleoside" in the Amendment and Request for Reconsideration filed on June 20, 2003. This amendment broadened the scope of the claim to permissibly exclude the required glutamine and/or glutamic acid.

Applicants note that this error is obvious, as well as the solution. Moreover, Applicants believe that the proposed amendment of Claim 1 would place this claim in a condition that accurately reflects the Office's reason for allowance and accurately reflects the present invention. Applicants request that this amendment be entered and subsequently allowed.

Applicants submit that the present application is now in condition for allowance.

Early notification of such action is earnestly solicited.

Respectfully submitted,

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